

**A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS  
WAS HELD JANUARY 22, 2002 AT 1:00 P.M. IN WARRENTON, VIRGINIA**

**P R E S E N T**      Mr. Raymond Graham, Chairman; Ms. Sharon McCamy, Vice Chair; Mr. Harry Atherton; Mr. Joe Winkelmann; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

**AGENDA REVIEW**

The Board of Supervisors reviewed the Agenda.

**PERFORMANCE MEASUREMENTS / WORK PLAN**

The Director of Economic Development briefed the Board of Supervisors on the performance measurements and work plan for the Fauquier County Department of Economic Development.

**COUNTY SPACE NEEDS**

A work session was held with members of the Board of Supervisors and representatives of Davis-Carter-Scott Architects to discuss County space needs and review Phase II plans for renovations of the Warren Green Building.

**CLOSED MEETING**

Ms. McCamy moved to go into a closed meeting pursuant to Virginia Code §2.2-3711.A.7 and 11-52 for consultation with the County Attorney and discussion of bid records and contracts not releasable to the public. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<b><i>Ayes:</i></b>	<b><i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i></b>
<b><i>Nays:</i></b>	<b><i>None</i></b>
<b><i>Absent During Vote:</i></b>	<b><i>None</i></b>
<b><i>Abstention:</i></b>	<b><i>None</i></b>

Upon reconvening from the closed meeting, Mr. Winkelmann moved to adopt the following certification. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Fauquier County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 22<sup>nd</sup> day of January 2002, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such a public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

#### **ADOPTION OF THE AGENDA**

Ms. McCamy moved to adopt the Agenda. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

#### **PROCLAMATIONS AND RECOGNITIONS**

- Messrs. William T. Miller, John Marshall Cheatwood, William Brewster, Lurty Houff and George N. Slater, members of the Board of Assessors, were recognized for their outstanding public service in overseeing the 2002 real property reassessment process.
- Mr. Bryan Tippie, Budget Director, was presented the Government Finance Officers Association Distinguished Budget Presentation Award for Fiscal Year 2001.
- Ms. Jill Orndoff was recognized for her lifelong commitment to outstanding public service to the residents of Catlett and Fauquier County, and to the citizens of the United States.
- George Tolis, Marshall District, expressed his opposition to the proposed 800MHz public safety radio system and endorsed a 150 MHz public safety radio system instead.

- John King, Cedar Run District, spoke in opposition to the 800MHz public safety radio system.
- John Wright, Cedar Run District, cited the historic value of the Germantown area and expressed his opposition to using the Wampler property as a location for the proposed sports field complex.
- Rob Ganton, Cedar Run District, expressed his opposition to placing the proposed sports field complex at the Wampler property.
- Merle Fallon, Cedar Run District, spoke in favor of using the Wampler property for a sports field complex.
- Mr. Knupp, Cedar Run District, stated he was opposed to the proposed sports field complex at the Wampler property.
- Rebecca McClellan, Cedar Run District, expressed her opposition to the proposed 800 MHz public safety radio system.

### **CONSENT AGENDA**

Ms. McCamy moved to adopt the following Consent Agenda items. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

<b>Ayes:</b>	<b><i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i></b>
<b>Nays:</b>	<b><i>None</i></b>
<b>Absent During Vote:</b>	<b><i>None</i></b>
<b>Abstention:</b>	<b><i>None</i></b>

Approval of the Minutes of the Board of Supervisors' November 5, 2001, Adjourned Meeting and the November 19, 2001, Regular Meeting

A Resolution Authorizing the Chairman of the Board of Supervisors to Execute a Revised Master Water and Sewer Agreement Between the County and the Town of Warrenton

### **RESOLUTION**

#### **A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE A REVISED MASTER WATER AND SEWER AGREEMENT BETWEEN FAUQUIER COUNTY AND THE TOWN OF WARRENTON**

WHEREAS, the Board of Supervisors previously approved a Master Water and Sewer Agreement with the Town of Warrenton; and

WHEREAS, the Town Council of the Town of Warrenton, in approving the Master Water and Sewer Agreement, made three changes to the Agreement; and

WHEREAS, the Town-County Liaison Committee has reviewed the changes and unanimously recommends approval of the revised Agreement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the Chairman of the Board of Supervisors be, and is hereby, authorized to execute the revised Master Water and Sewer Agreement dated November 27, 2001.

A Resolution to Authorize Modification of the Pool Design Contract with Hughes Group Architects, Inc.

RESOLUTION

A RESOLUTION TO AUTHORIZE MODIFICATION OF THE POOL DESIGN CONTRACT  
WITH HUGHES GROUP ARCHITECTS, INC.

WHEREAS, Fauquier County entered into a contract with Hughes Group Architects, Inc. for engineering, design and related services for the Eastern Regional Pool; and

WHEREAS, the construction bids received in August of 2001 were substantially in excess of the current budget appropriation of \$1,300,000 for the project; and

WHEREAS, the Ad Hoc Pool Committee is recommending that certain reductions and changes be made to the original pool design to bring the project within budget, which will require a modification to the contract with Hughes Group Architects, Inc. in the amount of \$55,500 for redesign services; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the Board of Supervisors does hereby authorize the modification of the contract with Hughes Group Architects, Inc. (#HGA26-98je/PO #1052) for engineering and design services relating to the Eastern Regional Pool in the amount of \$55,500.

A Resolution to Endorse the Town of The Plains' Application for a TEA-21 Grant

RESOLUTION

A RESOLUTION TO ENDORSE THE TOWN OF THE PLAINS' APPLICATION FOR A  
TEA-21 GRANT

WHEREAS, the Town of The Plains has requested that Fauquier County consider endorsing its application for a TEA-21 grant for \$280,000 in Federal funds to be used as part of a \$350,000 project to enhance pedestrian safety, improve public access to historic buildings and accentuate the beauty of its scenic byways; and

WHEREAS, the Town of The Plains is an incorporated municipality within Fauquier County; and

WHEREAS, the Fauquier County Board of Supervisors is highly supportive of efforts to improve the safety of citizens and tourists, to protect and enhance the County's historical heritage and to beautify its scenic byways; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the Board of Supervisors does hereby endorse the Town of The Plains' application for a TEA-21 grant.

A Resolution to Approve Donation of Funds to the Fauquier SPCA for the Sale of Animal Friendly License Plates

RESOLUTION

A RESOLUTION TO APPROVE DONATION OF FUNDS TO THE FAUQUIER  
SPCA FOR THE SALE OF ANIMAL FRIENDLY LICENSE PLATES

BE IT RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That, upon receipt, the sum of \$1,905.00 due to Fauquier County from the Commonwealth of Virginia based on the sale of Animal Friendly license plates, as authorized by Section 46.2-749 of the Code of Virginia (1950), as amended, be, and is hereby, appropriated for donation to the Fauquier SPCA, Inc., for the exclusive use by that organization for the sterilization of dogs and cats.

A Resolution to Invite the Prince William County Board of Supervisors to Form a Joint Fauquier County and Prince William County Planning Group to Study and Prepare a Conceptual Plan for Improvements to Route 29 Along the Common Jurisdictional Boundary

RESOLUTION

A RESOLUTION TO INVITE THE PRINCE WILLIAM COUNTY BOARD OF  
SUPERVISORS TO FORM A JOINT FAUQUIER COUNTY AND PRINCE WILLIAM  
COUNTY PLANNING GROUP TO STUDY AND PREPARE A CONCEPTUAL PLAN  
FOR IMPROVEMENTS TO ROUTE 29 ALONG THE COMMON JURISDICTIONAL  
BOUNDARY

WHEREAS, Fauquier County and Prince William County share concerns about the safety and efficiency of Route 29 as a major transportation artery linking the two communities; and

WHEREAS, Route 29 has increasing transportation demands and impacts on residential and business owners; and

WHEREAS, a coordinated study and plan of future improvements to Route 29 along the common County line would be beneficial to both jurisdictions and their residents and business owners; and

WHEREAS, at its meeting on November 28, 2001, the Fauquier County Transportation Committee approved a motion recommending that the Fauquier County Board of Supervisors consider a coordinated study between Fauquier County and Prince William County staff and citizens to prepare a conceptual plan for Route 29 improvements near the common County line from Route 15 to Route 215; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the Fauquier County Board of Supervisors invites the Prince William County Board of Supervisors to participate in a joint planning effort beginning with transportation and planning staff from both jurisdictions and then with the appointment of a citizen committee to work with staff to review and refine options and make a recommendation to the respective Boards.

A Resolution to Authorize the County Administrator to Submit a Finding of Concurrence to the Health Department for a Temporary Pump and Haul Permit for the Warrenton Flight Center T-Hanger

#### RESOLUTION

#### A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SUBMIT A FINDING OF CONCURRENCE FOR A TEMPORARY PUMP AND HAUL PERMIT FOR THE WARRENTON FLIGHT CENTER T-HANGAR

WHEREAS, the Airport Committee is engaged in activities to improve services at the airport; and

WHEREAS, plans are being developed to provide for the processing of waste flows at the airport and for adjacent business properties; and

WHEREAS, the Warrenton Flight Center is constructing a new T-hangar and wishes to include, at its expense, limited restroom facilities; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the Board concurs with the Warrenton Flight Center's request to use a temporary pump and haul system for a period not to exceed twelve months from the date of issuance of a certificate of occupancy; and, be it

RESOLVED FURTHER, That the County Administrator is hereby authorized to sign the Health Department application indicating the Board's concurrence and transmit this resolution to the Fauquier County Health Department.

Preliminary Subdivision Application (#PP01-S-08) Brookside Fifty-Lot Section - Scott Magisterial District

No action was taken.

A Resolution Endorsing the Town of Remington's TEA-21 Funding Application for a Remington Area Bicycle and Pedestrian Enhancement Project

RESOLUTION

A RESOLUTION ENDORSING THE TOWN OF REMINGTON'S TEA-21  
FUNDING APPLICATION FOR A REMINGTON AREA BICYCLE AND  
PEDESTRIAN ENHANCEMENT PROJECT

WHEREAS, the Fauquier County Board of Supervisors desires to provide bicyclists in the County with needed, safe and functional facilities on which to travel as affirmed by its adoption on June 18, 2001, as policy document, of the *Fauquier County Preliminary Bicycle and Pedestrian Assessment Plan* (the "Plan"); and

WHEREAS, the aforesaid Plan identifies Remington, Virginia, and surrounding County vicinity, among other promising venues, as holding great potential for such facilities; and

WHEREAS, a bike route proposal has been prepared in accordance with the Plan, reviewed by the Virginia Department of Transportation and representatives of the Fauquier County Department of Parks and Recreation, and subjected to public hearing before the Remington Town Council at its December 17, 2001, meeting; and

WHEREAS, following favorable public comment, and in acknowledgement of the project's potential benefit to the Town of Remington and County of Fauquier, the members of the Remington Town Council have voted unanimously that the project be submitted for funding under the FY 2002-2003 Transportation Equity Act for the 21st Century (TEA-21) Program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the County does hereby endorse the Town's TEA-21 Application/Remington Area Bicycle and Pedestrian Enhancement Project proposal, and encourages its full funding under TEA-21.

A Resolution to Authorize FY 2001 Budget Transfers and Supplemental Appropriations in the Amount of \$430,152

RESOLUTION

A RESOLUTION TO AUTHORIZE FY 2001 BUDGET TRANSFERS AND  
SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$430,152

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County and during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, the School Division requested appropriation of \$57,700 from Federal grant funds for Technology Literacy Challenge; and

WHEREAS, Comprehensive Services (CSA) requested \$100,848 from FY 2001 Carryover-Fund Balance and \$119,152 from State funding services for children at risk; and

WHEREAS, the Public Library requested \$930 in Gain Sharing from FY 2001 Carryover-Fund Balance; and

WHEREAS, the Budget Office requested \$568 in Gain Sharing from FY 2001 Carryover-Fund Balance; and

WHEREAS, Community Development requested \$12,454 in Gain Sharing from FY 2001 Carryover-Fund Balance; and

WHEREAS, Agricultural Development requested \$2,500 in Gain Sharing from FY 2001 Carryover-Fund Balance; and

WHEREAS, Information Resources requested \$136,000 be transferred within the Capital Improvements Project to support an element of Phase 2 (e-Gov); now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the sum of \$430,152 in additional budget related actions be carried over, transferred, or appropriated as follows:

<b>Source</b>	<b>FROM Code</b>	<b>Amount</b>	<b>Department</b>	<b>TO Code</b>	<b>Amount</b>
Federal Funds	3-205-332000-0005	\$57,700	School Division	4-205,61100-5540-300-005-425	\$57,700
Fund Balance – Carryover	3-100-419000-0010	\$100,848	Comprehensive Services (CSA)	4-100-053505-5906	\$44,000
State Funds	3-100-214000-0090	\$119,152		4-100-053505-5905	\$61,600
				4-100-053505-3174	\$52,800
				4-100-053505-5901	\$61,600
Fund Balance – Carryover	3-100-419000-0010	\$930	Library	4-100-073000-8212	\$350
				4-100-073000-8214	\$580
Fund Balance – Carryover	3-100-419000-0010	\$568	Budget Office	4-100-012440-8202	\$568
Fund Balance – Carryover	3-100-419000-0010	\$12,454	Community Development	4-100-081200-8205	\$11,748
				4-100-081200-8207	\$706
Fund Balance – Carryover	3-100-419000-0010	\$2,500	Agriculture Development	4-100-081800-5882	\$2,500
Capital Improvement Project	4-302-80205-8200	\$136,000	Capital Improvement Project (Information Resources)	4-302-094110-8207	\$136,000
	<b>TOTAL</b>	<b>\$430,152</b>		<b>TOTAL</b>	<b>\$430,152</b>



A Resolution Authorizing the Chairman to Execute a Cooperative Parking Agreement with the Fauquier Fair, Inc., Permitting the Fair to Use Parking Lots and Other Designated Areas on the Central County Sports Field Property the Last Weekend of July for Parking at the Fair

RESOLUTION

A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE  
A COOPERATIVE PARKING AGREEMENT WITH  
THE FAUQUIER FAIR, INC.

WHEREAS, the Fauquier Fair, Inc., owns a parcel located on State Route 670 in Center Magisterial District upon which it conducts the annual Fauquier County Fair the last weekend in July; and

WHEREAS, the County of Fauquier has acquired 70.0065 acres located adjacent to the Fair property upon which the County intends to establish sports fields and public park facilities; and

WHEREAS, the Fair and the County wish to set forth the terms and conditions upon which the Fair may use parking facilities to be constructed and other designated areas on the aforesaid County property for parking for the Fauquier Fair; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the Chairman of the Board of Supervisors, be and is hereby, authorized to execute a Cooperative Parking Agreement with the Fauquier Fair, Inc., a copy of which Agreement is filed in the County Administrator's Office.

A Resolution Authorizing the Chairman of the Board of Supervisors to Execute a Lease, Development and Operation Agreement for the Central Sports Field Site with the Fauquier Youth Sports Coordination Council, Inc.

RESOLUTION

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE  
BOARD OF SUPERVISORS TO EXECUTE A SPORTS FIELD  
LEASE, DEVELOPMENT AND OPERATION AGREEMENT  
FOR THE CENTRAL SITE

WHEREAS, the Board of Supervisors has acquired 70.0065 acres of real property, more or less, said acreage being more particularly described as located on the southwest side of Old Auburn Road, Virginia State Route 670, Center Magisterial District as shown on that certain plat recorded with the Final Order in Deed Book 909 at Page 1817 in the land records of the Circuit Court of Fauquier County, Virginia; and

WHEREAS, the Board of Supervisors has determined that a portion of the aforesaid parcel should be leased for the development and operation of sports fields, said acreage being more particularly described on the plat attached as Exhibit "A" to the Sports Field Lease, Development and Operation Agreement for the Central Site; and

WHEREAS, in meeting assembled on December 17, 2001, the Board of Supervisors held a public hearing on the proposed Sports Field Lease, Development and Operation Agreement for the Central Site as required by law; and

WHEREAS, the Board of Supervisors, by adoption of this resolution, has determined it to be in the best interest of the citizens of the County to enter into the Sports Field Lease, Development and Operation Agreement for the Central Site with Fauquier Youth Sports Coordination Council, Inc.; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the Chairman of the Board of Supervisors be, and is hereby, authorized to execute, on behalf of the County, a Sports Field Lease, Development and Operation Agreement for the Central Site, a copy of which agreement is filed in the County Administrator's Office.

A Resolution Approving the Issuance by the Industrial Development Authority of Fauquier County of 2002 Hospital Revenue Bonds for the Benefit of The Fauquier Hospital and Health Dynamics, Inc.

## RESOLUTION

### RESOLUTION OF THE BOARD OF SUPERVISORS OF FAUQUIER COUNTY, VIRGINIA

WHEREAS, The Fauquier Hospital, Incorporated (the "Hospital"), and Health Dynamics, Inc. (the "Nursing Home"), have requested the Industrial Development Authority of Fauquier County, Virginia (the "Authority"), to issue bonds in the form of hospital revenue bonds (the "2002 Bonds") in an amount now estimated not to exceed \$68,000,000 to (1) finance or refinance (a) the construction of approximately 105,000 square feet of new space and renovation of approximately 55,500 square feet of existing space currently anticipated as follows: construction of a replacement 30 bed medical unit; construction of a replacement 35 bed surgical/pediatric unit; construction of a replacement 10 bed intensive/coronary unit; expansion and renovation of emergency room; expansion and renovation of cardiopulmonary and cardiac rehab departments; expansion and renovation of outpatient treatment areas; expansion and renovation of radiology department; construction of a new education center; construction of a new food service department and cafeteria; construction of a new fourth floor shell space; renovation of administrative and support areas; expansion and upgrading of existing mechanical support systems; demolition of a single story inpatient unit; and site work consisting of re-alignment of roads and expanded parking, all at the Hospital Center (the "Construction Project"), and (b) the ongoing regular equipment and capital replacement expenditures of the Hospital and the Corporation (the "Capital Equipment Project"), for their operations at the acute care hospital facility and related outpatient facilities (the "Hospital Center") located at 500 Hospital Drive, Warrenton, Virginia, and known as the Fauquier Hospital, (2) refund all or a portion of the Authority's outstanding (a) Hospital Revenue Bonds (The Fauquier Hospital), Series 1990A (the "1990A Bonds"), (b) Hospital Refunding Revenue Bonds (The Fauquier Hospital), Series 1990B (the "1990B Bonds") and (c) Revenue Bonds (The Fauquier Hospital), Series 1991 (the "1991 Bonds") (collectively, the "Prior Bonds," and together with the Construction Project and the Capital Equipment Project, the "Project"), (3) to pay a portion of the interest accruing on such hospital revenue bonds, (4) to fund a debt service reserve fund, and (5) to pay certain costs of issuance of such hospital revenue bonds; and

WHEREAS, the 1990A Bonds were issued in the original principal amount of \$13,265,000 to finance (i) the costs of a renovation and expansion and certain equipment purchases for the Hospital Center, and (ii) the costs of the acquisition, construction and equipping of the nursing home facility located on property adjacent to the Hospital Center in Fauquier County, the Warrenton Overlook Nursing Home (the “Nursing Home Center”), owned and operated by the Nursing Home; the 1990B Bonds were issued in the original principal amount of \$2,940,000 to refund bonds issued by the Authority in 1976 to finance renovations and additions to the Hospital Center; and the 1991 Bonds were issued in the original principal amount of \$2,000,000 to finance the costs of the acquisition, construction and equipping of an addition to the Nursing Home Center; and

WHEREAS, the Authority has held a public hearing on the issuance of the 2002 Bonds for the Project on January 17, 2002, and has agreed to issue the 2002 Bonds for the Project; and

WHEREAS, the Authority has requested and recommended that the Board of Supervisors (the “Board”) of Fauquier County, Virginia (the “County”), approve the issuance of the 2002 Bonds to comply with Section 15.2-4906 of the Code of Virginia of 1950, as amended, (the “Virginia Code”), and Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, a copy of the Authority’s January 17, 2002, resolution approving the issuance of the 2002 Bonds, a fiscal impact statement and a reasonably detailed summary of the comments made at the January 17, 2002, public hearing, have been filed with the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FAUQUIER COUNTY, VIRGINIA THIS 22<sup>ND</sup> DAY OF JANUARY 2002:

1. The Board hereby approves the issuance of the 2002 Bonds by the Authority for the benefit of the Hospital and the Nursing Home, to the extent required by Section 15.2-4906 of the Virginia Code and Section 147(f) of the Code, to permit the Authority to assist in the Project.
2. The approval of the issuance of the 2002 Bonds as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code does not constitute an endorsement of the 2002 Bonds or the creditworthiness of the Hospital and the Nursing Home, and the 2002 Bonds shall provide that neither the County nor the Authority shall be obligated to pay the 2002 Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith or credit nor the taxing power of the Commonwealth of Virginia, the County nor the Authority shall be pledged thereto.
3. This Resolution shall take effect immediately upon its adoption.

A Resolution Authorizing the County Administrator to Submit a Finding of Concurrence to the Health Department Regarding a Temporary Pump and Haul Permit for Mill Run Business Park

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SUBMIT A FINDING OF CONCURRENCE TO THE HEALTH DEPARTMENT REGARDING A TEMPORARY PUMP AND HAUL PERMIT FOR MILL RUN BUSINESS PARK

WHEREAS, Development Corporation of Virginia is in the process of developing Mill Run Business Park for the purpose of creating an Industrial Park in the New Baltimore Service District; and

WHEREAS, the opening of the Business Park is dependent upon the availability of water and sewer, but the completion of the sewer line extension that will serve Mill Run Business Park will not be completed until the summer of 2003; and

WHEREAS, Mill Run Business Park has coordinated with the Virginia Department of Health and Fauquier County Water and Sanitation Authority to design facilities for a temporary pump and haul system to serve Mill Run Business Park; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the Fauquier County Board of Supervisors concurs with Development Corporation of Virginia's application for a permit to use a temporary pump and haul system for a period of twelve months for the property known as Mill Run Business Park; and, be it

RESOLVED FURTHER, That the County Administrator is hereby authorized to sign the application for the Fauquier County Board of Supervisors indicating the Board's concurrence and transmit this resolution to the Fauquier County Health Department.

A Resolution of Denial for an Ordinance Amending Sections 10-6, 10-7 and 10-9 of the Subdivision Ordinance Regarding Approval Authority for Final Plats

RESOLUTION

A RESOLUTION OF DENIAL FOR AN ORDINANCE AMENDING  
SECTIONS 10-6, 10-7 AND 10-9 OF THE SUBDIVISION  
ORDINANCE REGARDING APPROVAL AUTHORITY FOR FINAL PLATS

WHEREAS, Sections 10-6, 10-7 and 10-9 of the Fauquier County Subdivision Ordinance deal with approving authority and final plat approvals; and

WHEREAS, the Board of Supervisors is concerned with the volume of residential subdivision, associated design and environmental issues, including floodplain and storm water management; and

WHEREAS, the Board of Supervisors finds that the recent changes to the Fauquier County Code regarding land disturbing is a major step to better manage new construction Countywide; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That Sections 10-6, 10-7 and 10-9 of the Fauquier County Subdivision Ordinance not be amended to change the approval authority for the final subdivision plats; and, be it

RESOLVED FURTHER, That the Board of Supervisors directs:

- a. The preparation of a storm water management ordinance, and designates that task as a Calendar Year 2002 Project; and
- b. The initiation of a comprehensive review of other local jurisdictional programs in FY 2002, and identify successful methods for County implementation to more effectively manage erosion and sediment control and associated issues, such as those identified in paragraph 2.f of the Department of Community Development memorandum dated December 7, 2001.

A Resolution Revising the Department of Community Development's Schedule for Building Fees

RESOLUTION

A RESOLUTION REVISING THE DEPARTMENT OF  
COMMUNITY DEVELOPMENT'S SCHEDULE FOR BUILDING FEES

WHEREAS, the Department of Community Development's building permits and associated fees have not been reviewed and updated since 1991; and

WHEREAS, the Board of Supervisors wants County application fees to keep pace with inflation to ensure building permits and associated fees can keep pace with the personnel, processing and inspection requirements due to application volume and project complexities, and still maintain effective quality and responsible service; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the Department of Community Development's building fee schedule be revised as follows, with an effective date of March 1, 2002:

		Current	Proposed Change
	NEW CONSTRUCTION		
101	BOCA Use Groups R3, R4 (Residential 1 & 2 family units)	\$.11sf / Min. \$75.00	<b>\$.14sf</b> / Min. \$75.00
102	Accessory Structures (Dwelling Units)	\$.09sf / Min. \$50.00	<b>\$.012sf</b> / Min. \$50.00
103	BOCA Use Groups A,B,E,F,H,I,M,R1,R2, & U (Commercial/Industrial)	0- 5000 \$.14sf Over 5000 \$.10sf Min. \$75.00	<b>0 - 5000 \$.18sf</b> <b>Over 5000 \$.13sf</b> Min. \$75.00
104	A-5 Grandstands, Coliseums, Tents, Stadiums, etc.	\$.03sf / Min. \$50.00	<b>\$.04sf</b> / Min. \$50.00
105	Tenant Layout	\$.02sf / Min. \$50.00	<b>\$.03sf</b> / Min. \$50.00
106	Swimming Pool – Residential	\$50.00	<b>\$65.00</b>

107	Swimming Pool – Commercial	\$.05sf / Min. \$50.00	<del>\$.07sf</del> / Min. \$50.00
108	Fireplaces & Chimneys	\$50.00	<del>\$65.00</del>
109	Signs	\$50.00	<del>\$65.00</del>
ELECTRICAL			
201	Temporary on Pole	\$35.00	<del>\$45.00</del>
202	Commercial; 0 - 600 Amps	\$35.00	<del>\$45.00</del>
203	Commercial; 601 - 100 Amps	\$65.00	<del>\$85.00</del>
204	Commercial; Over 1200 Amps	\$120.00	<del>\$160.00</del>
205	Accessory Structures – Residential	\$25.00	<del>\$30.00</del>
206	Alarm Systems – Commercial	\$.01sf / Min. \$50.00	\$.01sf / Min. \$50.00
207	BOCA R3, R4 – Residential	\$35.00	<del>\$45.00</del>
208	All other BOCA Use Groups – Commercial	\$.01sf / Min. \$50.00	\$.01sf / Min. \$50.00
PLUMBING			
301	BOCA R3, R4 – Residential	\$35.00	<del>\$45.00</del>
302	All other BOCA Use Groups – Commercial	\$.01sf / Min. \$50.00	\$.01sf / Min. \$50.00
MECHANICAL			
401	BOCA R3, R4 – Residential	\$35.00	<del>\$45.00</del>
402	All other BOCA Use Groups – Commercial	\$.01sf / Min. \$50.00	\$.01sf / Min. \$50.00
ALTERATIONS & REPAIRS			
501	Residential Alteration	\$.10sf / Min. \$50.00	<del>\$.13sf</del> / Min. \$50.00
502	Commercial Alteration	\$.13sf / Min. \$75.00	<del>\$.17sf</del> / Min. \$75.00
MISCELLANEOUS			
601	Moving Building / Structure	\$50.00	<del>\$65.00</del>
602	Demolition	\$50.00	<del>\$65.00</del>
603	Conversion of Use of Building	\$50.00	<del>\$65.00</del>
604	Residential Exterior Sewer	\$25.00	<del>\$35.00</del>
605	Commercial Exterior Sewer	\$35.00	<del>\$45.00</del>
606	Residential Exterior Water Lines	\$25.00	<del>\$35.00</del>
607	Commercial Exterior Water Lines	\$35.00	<del>\$45.00</del>
608	Violation Stop Work Order	\$50.00	<del>Delete</del>
609	Work started without a permit	\$50.00	<del>Delete</del>

610	Fire Suppression Systems	\$.01sf / Min. \$50.00	\$.01sf / Min. \$50.00
611	Residential Re-inspection	\$25.00	\$35.00
612	Commercial Re-inspection	\$25.00	\$35.00
613	Refunds (not listed on computer)	80%	80%
614	Permit Renewals	\$15.00	\$20.00
615	Occupancy Permits (615R/Res, 615C/Com, 615TR/Temp Com.)	\$15.00	\$20.00
616	Temporary Footing – Residential	\$50.00	\$65.00
617	Temporary Footing – Commercial	\$100.00	\$130.00
618	Roofing & Siding	\$50.00	\$65.00
619	Roofing & Siding with other work	\$25.00	\$35.00
PLANS REVIEW			
701	Plan Review - Residential Amendments	\$25.00	\$35.00
702	Plan Review – Commercial	\$.01sf / Min. \$75.00	\$.01sf / Min. \$75.00
703	Plan Review - Amend Commercial	\$25.00	\$35.00
704	Plan Review - Fire Suppression	\$.01sf / Min. \$50.00	\$.01sf / Min. \$50.00
705	Plan Review - Tenant Layout	\$.02sf / Min. \$50.00	\$.03sf / Min. \$50.00
ADMINISTRATIVE			
800	1% Virginia Fee Levy	1%	1%
801	Photocopies	\$.50 each	\$.50 each
802	Tradesman certification	\$50.00	Delete
803	Fee for installations for which no fee appears (803A/Bldg, 803B/Elec, 803C/Plmb, 804D/Mech, 803E/Admn.)	Min. \$25.00	Min. \$35.00
AMUSEMENT DEVICES			
901	Amusement administration - each set up	\$5.00	\$10.00
902	Amusement inspection fee - each set up	Kiddie - \$5.00 Major - \$10.00 Spectacular - \$20.00	Kiddie - \$10.00 Major - \$15.00 Spectacular - \$25.00

A Resolution Authorizing the Chairman of the Fauquier County Board of Supervisors to Execute an Amended Lease with Fauquier Community Action Committee, Inc.

RESOLUTION

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE  
FAUQUIER COUNTY BOARD OF SUPERVISORS TO  
EXECUTE AN AMENDED LEASE WITH  
FAUQUIER COMMUNITY ACTION COMMITTEE, INC.

WHEREAS, the Board of Supervisors, by previously adopted a resolution, authorized the Chairman of the Board to execute a Lease with Fauquier Community Action Committee, Inc., leasing to the Committee Building B of the Warrenton Community Center; and

WHEREAS, Fauquier Community Action Committee, Inc., has requested an amendment to Section 6 of the Lease to permit the operation of additional pre-school programs and activities such as Head Start and Bright Stars; and

WHEREAS, the Board of Supervisors wishes to amend the Lease to clarify the language of the Lease to evidence its intent to permit Fauquier Community Action Committee, Inc., to operate the previously described programs under the terms of the Lease; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the Chairman of the Board of Supervisors be, and is hereby, authorized to execute an amended Lease Agreement with Fauquier Community Action Committee, Inc., to permit it to operate Head Start, Bright Stars, and other related pre-school programs and activities, a copy of which amended Lease Agreement is filed in the County Administrator's Office.

A Resolution to Authorize the Donation of a Surplus School Bus to the Fire and Rescue Association for Use by the Association for Support of Training Programs

RESOLUTION

A RESOLUTION TO AUTHORIZE THE DONATION OF A SURPLUS  
SCHOOL BUS TO THE FAUQUIER FIRE AND RESCUE ASSOCIATION

WHEREAS, the Fauquier Fire and Rescue Association has expressed the need for a vehicle to transport students participating in fire and emergency service classes; and

WHEREAS, Fleet Maintenance has identified a surplus 1985 Ford twenty-passenger school bus, VIN# 1FDJE3713FHC17764, that would meet the needs of the Association; and

WHEREAS, the donation or transfer of a County-owned vehicle to a non-governmental entity requires the approval of the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the Fauquier County Board of Supervisors does hereby authorize the County Administrator to take all actions necessary to donate the aforementioned surplus vehicle to the Fauquier Fire and Rescue Association.



A Resolution to Approve the Request of Peter and Sabrina Roberts to Reduce the Time Requirement of Section 2-39.3.A.3 of the Fauquier County Subdivision Ordinance to Allow Them to Transfer a Family Transfer Lot to a Non-Immediate Family Member

RESOLUTION

A RESOLUTION TO APPROVE THE REQUEST OF PETER ROBERTS  
AND SABRINA ROBERTS TO REDUCE THE TIME REQUIREMENT OF  
SECTION 2-39.3.A.3 OF THE FAUQUIER COUNTY SUBDIVISION  
ORDINANCE TO ALLOW THEM TO TRANSFER A FAMILY TRANSFER  
LOT TO A NON-IMMEDIATE FAMILY MEMBER

WHEREAS, the applicants, Peter and Sabrina Roberts, were the recipients of a family transfer parcel in 1998; and

WHEREAS, the health of Mr. Roberts' father necessitates the family's relocation to Maine, which presents a severe financial hardship for this family to continue to own the property; and

WHEREAS, Section 2-39.14 of the Subdivision Ordinance allows the Board of Supervisors to reduce the ten year restriction on selling a family transfer parcel to a non-immediate family member if it finds an extraordinary hardship is caused by the ten year restriction; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the requirement that Mr. and Mrs. Roberts hold their family transfer parcel for a period of ten years be reduced so that the parcel may be transferred immediately to a non-immediate family member.

MID-YEAR BUDGET INCREASE REQUEST FROM FAUQUIER COUNTY CHAMBER OF COMMERCE

Mr. Winkelmann moved to table the decision regarding a mid-year budget increase request from the Fauquier County Chamber of Commerce until the February 19, 2002 meeting. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

A RESOLUTION TO REFER PROPOSED ZONING ORDINANCE AMENDMENT TO PLANNING COMMISSION FOR PUBLIC HEARING AND RECOMMENDATION

Ms. McCamy moved to postpone indefinitely a decision to refer a proposed zoning ordinance amendment to the Planning Commission for public hearing and recommendation and further that this item should be the subject of a future work session. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
*Nays: None*  
*Absent During Vote: None*  
*Abstention: None*

**A RESOLUTION TO APPROVE THE REQUEST OF ROLAND OWENS AND ROXANNE OWENS TO REDUCE THE TIME REQUIREMENT OF SECTION 2-39.3.A.3 OF THE FAUQUIER COUNTY SUBDIVISION ORDINANCE TO ALLOW THEM TO TRANSFER A FAMILY TRANSFER LOT TO A NON-IMMEDIATE FAMILY MEMBER**

Mr. Weeks moved to table a decision regarding the request of Roland Owens and Roxanne Owens to reduce the time requirement of Section 2-39.3.A.3 of the Fauquier County Subdivision Ordinance to allow them to transfer a family transfer lot to a non-immediate family member until the February 19, 2002 meeting. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
*Nays: None*  
*Absent During Vote: None*  
*Abstention: None*

**A RESOLUTION TO REQUEST A PUBLIC HEARING FOR CONSIDERATION OF EXEMPTION FROM LOCAL PROPERTY TAXATION FOR THE PROPERTY OF FAUQUIER HERITAGE & PRESERVATION FOUNDATION, INC.**

Mr. Atherton moved to table a decision regarding consideration of exemption from local property taxation for the property of Fauquier Heritage & Preservation Foundation, Inc. until the February 19, 2002 meeting. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
*Nays: None*  
*Absent During Vote: None*  
*Abstention: None*

**A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A CONTRACT FOR AN 800MHZ PUBLIC SAFETY RADIO SYSTEM WITH MOTOROLA, INCORPORATED AS SPECIFIED IN CONTRACT 56-00C**

Mr. Weeks moved to adopt the following resolution to authorize the County Administrator to sign a contract for an 800MHz public safety radio system with Motorola, Incorporated as specific in Contract 56-00c. Ms. McCamy seconded, and the vote for the motion was 4 to 1 as follows:

*Ayes:* **Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Larry L. Weeks**  
*Nays:* **Mr. Harry Atherton**  
*Absent During Vote:* **None**  
*Abstention:* **None**

## RESOLUTION

### A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A CONTRACT FOR AN 800MHz PUBLIC SAFETY RADIO SYSTEM WITH MOTOROLA, INCORPORATED AS SPECIFIED IN CONTRACT 56-00c

WHEREAS, the Fauquier County Government solicited proposals for an 800MHz Public Safety Radio System; and

WHEREAS, an Evaluation Committee made up of a member of the Board of Supervisors, a Sheriff's Office representative, a Fire & Rescue representative, the Town of Warrenton Police Chief, the Assistant County Administrator, and two citizens, evaluated the proposals of two respondents to the RFP and selected Motorola, Incorporated as the most qualified offeror; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the Board of Supervisors does hereby authorize the County Administrator to sign a contract for the purchase of an 800MHz Public Safety Radio System with Motorola, Incorporated.

### **SPECIAL EXCEPTION (#SE01-CR-10) SMITH-MIDLAND CORPORATION, OWNER/APPLICANT – CEDAR RUN DISTRICT**

A public hearing was held at the September 17, 2001 meeting to consider a request for special exception approval for Smith-Midland Corporation, Owner/Applicant, to allow existing fill material to remain within the floodplain. The fill area is currently used as parking for Smith-Midland employees and it is estimated that approximately 0.29 acres of the parking area is located in the floodplain. The property is part of a twelve-acre parcel located on the west side of Licking Run in the Midland Service District, PIN 7900-75-6202-000, Cedar Run District. Mr. Graham moved to table until the February 19, 2002 meeting the decision on the request for special exception (#SE01-CR-10) approval from Smith-Midland Corporation, owner/applicant. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

*Ayes:* **Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks**  
*Nays:* **None**  
*Absent During Vote:* **None**  
*Abstention:* **None**

### **A RESOLUTION TO AUTHORIZE THE PARKS AND RECREATION BOARD TO ENTER INTO A CONCESSIONAIRE CONTRACT WITH THE VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES**

Mr. Weeks moved to adopt the following resolution to authorize the Parks and Recreation Board to enter into a concessionaire contract with the Virginia Department of Game and Inland Fisheries. Mr. Winkelmann seconded, and the vote was unanimous as follows:

**Ayes:** *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *None*  
**Abstention:** *None*

## RESOLUTION

### A RESOLUTION TO AUTHORIZE THE PARKS AND RECREATION BOARD TO ENTER INTO A CONCESSIONAIRE CONTRACT WITH THE VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES

WHEREAS, in the Fall of 2001, the Parks and Recreation Board received a request from the Virginia Department of Game and Inland Fisheries (VDGIF) to assume the concession (operational) responsibilities at Lake Brittle; and

WHEREAS, the Parks and Recreation Board, in its analysis of the proposal, directed that Parks and Recreation staff prepare a business plan; and

WHEREAS, the Board of Supervisors, upon receipt of the analysis prepared by the Parks and Recreation Board, determined that a partnership between Fauquier County and VDGIF will result in a desirable, enhanced level of recreational services for the citizens of Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That, following review by the County Attorney, the Parks and Recreation Board is hereby authorized to enter into a concessionaire contract with the Virginia Department of Game and Inland Fisheries as generally described in the Parks and Recreation business plan entitled "Fauquier County Parks and Recreation Department as Concessionaire for Lake Brittle".

## **APPOINTMENTS**

By unanimous consent, the following appointments were approved:

- Gary Cordova was appointed to the Industrial Development Authority (IDA) to fill an unexpired term, representing Cedar Run District.
- David Martin was appointed to the Community Criminal Justice Board as a representative of the School Division.

## **SUPERVISORS TIME**

- Mr. Graham recognized the legislative delegation for their support of Fauquier County during the General Assembly.

## **ANNOUNCEMENTS**

- Mr. Lee stated that most of the Board members would be in attendance at a VACo/VML Legislative Conference in Richmond, Virginia on January 31, 2002.

- Mr. Lee stated that, due to the President's Day holiday, the next regular Board meeting would be held on Tuesday, February 19, 2002.

### **SPECIAL EXCEPTION – LEARNING TREE FARMS, LLC, APPLICANT**

A public hearing was held to consider a special exception request from Learning Tree Farms, LLC, applicant, to operate a technical school with indoor and outdoor components on a 550-acre farm parcel located on PIN 6939-47-9679-000 in Marshall Magisterial District. The operation would be primarily targeted to Fauquier County Public Schools and would provide students with enhanced learning experiences in environmental, archaeological, historical and other matters in a "hands-on" environment and to also apply that knowledge in a technical format through the use of computers. John Foote, representing the applicant, Shannon McCalhaney, Robert McCalhaney, Doug Larson, Patty White, Roger Sites, Nina Murphy, and Nancy Golightly spoke in favor of the request. Peggy Keyes stated that she believed the request needed further review. No one else spoke. The public hearing was closed. Mr. Atherton moved to table a decision until the February 19, 2002 meeting. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

**Ayes:** *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *None*  
**Abstention:** *None*

### **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING – CATLETT-CALVERTON SEWER PLANNING PROJECT**

A public hearing was held to consider Community Development Block Grant (CDBG) Funding for the Catlett-Calverton Sewer Planning Project. Vernon Riley spoke in favor of the grant application. The chairman of the Catlett-Calverton Sewer Planning Citizens Committee, William Russell, Randy Farrell, representing Fauquier Bank, Mary Lee Daniel, Mark Rohrbaugh, Robert Ansler, Jim Crone, and Jessie Jones spoke in favor of the block grant application. No one else spoke. The public hearing was closed. Mr. Lee stated that no action was necessary at this time as this was the first of two required public hearings on this matter. Mr. Lee announced that the next public hearing on this subject would be held in March 2002.

### **CONSIDER GRANTING AN EASEMENT TO VIRGINIA DOMINION POWER AT THE FAUQUIER COUNTY LANDFILL**

A public hearing was held to consider granting a thirty foot wide right-of-way easement to Dominion Virginia Power for the relocation of power lines at the Corral Farm Landfill and extinction of an existing easement. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

**Ayes:** *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *None*  
**Abstention:** *None*

## RESOLUTION

### A RESOLUTION TO AUTHORIZE GRANTING A THIRTY (30) FOOT WIDE RIGHT-OF-WAY EASEMENT TO DOMINION VIRGINIA POWER FOR THE RELOCATION OF POWER LINES AT THE CORRAL FARM LANDFILL AND EXTINCTION OF AN EXISTING EASEMENT

WHEREAS, the use of property for the construction and demolition debris landfill requires the relocation of existing power lines and easement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22<sup>nd</sup> day of January 2002, That the County Administrator is hereby authorized to execute a right-of-way agreement with Dominion Virginia Power to provide for the relocation of existing overhead electric service at the Corral Farm Landfill; and, be it,

RESOLVED FURTHER, That the right-of-way agreement to be executed with Dominion Virginia Power shall also provide that the existing right-of-way or electric service be extinguished.

### **ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 8 - SIGNS**

A public hearing was held to consider amendments to Article 8 of the Zoning Ordinance for signs located in the Planned Development Mixed Use (PDMU), Planned Residential Development (PRD) and Planned Commercial And Industrial Development (PCID) districts. Hunton Tiffany, representing Vint Hill Economic Development Authority, Don Rose, Bob Lassiter, representing Vint Hill Economic Development Authority, Pat Light, and Mark Rohrbaugh, representing Vint Hill Economic Development Authority, spoke in favor of the amendments. Chuck Medvitz requested that action be delayed on the amendments pending more public feedback. Kathleen King stated that a decision on the amendments should be delayed. Margaret Wise stated the decision on the amendments should be postponed pending further review. Kitty Smith and Hope Porter spoke in opposition to the amendments. Jenna Farra urged using caution in a decision on the amendments. No one else spoke. The public hearing was closed. Mr. Graham moved to table the decision until the February 19, 2002 meeting. Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

<b>Ayes:</b>	<b><i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i></b>
<b>Nays:</b>	<b><i>None</i></b>
<b>Absent During Vote:</b>	<b><i>None</i></b>
<b>Abstention:</b>	<b><i>None</i></b>

### **ZONING ORDINANCE TEXT AMENDMENT TO SECTION 2-406.3 – OPEN SPACE**

A public hearing was held to consider a text amendment to Section 2-406.3 of the Zoning Ordinance to specify the time limit for recordation of a deed of non-common open space for subdivisions in the Rural Agriculture (RA) and Rural Conservation (RC) Zoning Districts that are subject to the eighty-five percent open space requirement. No one spoke. The public hearing was closed. Mr. Atherton moved to table the decision until the February 19, 2002 meeting. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

*Ayes:* **Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks**  
*Nays:* **None**  
*Absent During Vote:* **None**  
*Abstention:* **None**

**SPECIAL EXCEPTION AMENDMENT – DENNIS W. SINGHAS, VALLEY DRILLING CORPORATION OF VIRGINIA, OWNER/APPLICANT**

A public hearing was held to consider a request for special exception amendment #SEA02-M-01, for Dennis W. Singhas, Valley Drilling Corporation of Virginia, owner/applicant, pursuant to Article 5 of the Zoning Ordinance, to allow for a time extension in which to file a site plan for this established well drilling company. The original special exception approval allowed for the construction of a new shop building in the Village Residential Zoning District, and was approved by the Board of Supervisors on September 5, 2000. One of the conditions of approval was that a site plan be filed within one year of the special exception approval. Because the site plan for the new building was not filed within the required timeframe, the Zoning Administrator determined that an amendment to the original special exception was required. There are no other changes from the original approval proposed with this application. The property is located on the north side of John S. Mosby Highway (Route 50) just west of its intersection with Delaplane Grade Road (Route 712) in the Village of Upperville, PIN 6054-76-4012-000, Marshall District. Jordan Bentley and Ben Tischer, AIA, representing Valley Drilling, spoke in favor of the special exception amendment. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

*Ayes:* **Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks**  
*Nays:* **None**  
*Absent During Vote:* **None**  
*Abstention:* **None**

**RESOLUTION**

**A RESOLUTION TO APPROVE SPECIAL EXCEPTION AMENDMENT #SEA02-M-01  
VALLEY DRILLING CORPORATION OF VIRGINIA  
PIN 6054-76-5050-000**

WHEREAS, Dennis Singhas and Valley Drilling Corporation of Virginia, owners and applicants, have filed an application to allow additional time to file a site plan for a previously approved special exception use in accordance with Article 5 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Planning Commission held a public hearing on this application on November 29, 2001, and has made a recommendation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has considered the written and orally presented information of the applicants and conducted a public hearing for this application on January 22, 2002; and

WHEREAS, the Board of Supervisors determined that the application satisfies the general standards of Article 5-006 of the Zoning Ordinance and that the application is in substantial conformance with the Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the application by Dennis Singhas and Valley Drilling Corporation of Virginia be, and is hereby, approved, subject to the following conditions:

1. The special exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This special exception is granted only for the purpose(s), structure(s) and/or uses indicated on the plat approved with the application, as qualified by these development conditions.
3. This special exception is subject to the provisions of Article 12 of the Fauquier County Zoning Ordinance, Site Plans, as may be determined by the Fauquier County Department of Community Development.
4. The applicant shall file a site plan within six (6) months of approval of this special exception amendment.
5. The applicant shall obtain all necessary approvals from the Virginia Department of Transportation and the Health Department prior to site plan approval.
6. The applicant shall comply with all applicable zoning regulations including, but not limited to, setbacks, buffer yards, tree canopy, landscaping, parking and lighting.
7. The existing shop building shall be demolished upon completion of the new structure and the resultant debris shall be removed from the site in a timely manner. Landscaping shall be provided on the former building site in accordance with the provisions of Article 7 of the Zoning Ordinance.
8. A commercial entrance constructed to VDOT's satisfaction shall be provided at the Route 50 access.
9. The hours of operation shall be 7:00 am to 5:00 pm, Monday through Friday, with emergency service operations only permitted on the weekends.
10. The number of employees on site shall not exceed thirty-three.

**SPECIAL EXCEPTION AMENDMENT – CHARLES AND SUSAN LEOPOLD, OWNERS, AND INDIAN PIPE TECHNICAL OUTDOOR SCHOOL, APPLICANT**

A public hearing was held to consider a request for special exception renewal #SER 02-M-02, for Indian Pipe Technical Outdoor School to continue the operation of the Indian Pipe Technical Outdoor School. In addition to the original conditions of approval, the applicant requests a ten-year approval period. Ms. Leopold also requested the allowance of public school buses to access the school on Fiery Run Road (Route 726). The property is located along Fiery Run Road (Route 726) approximately one mile south of the Southern Railway crossing, PIN 6011-20-6729, Marshall District. Susan Leopold, owner of Indian Pipe Technical Outdoor School, and Rick Sweeney spoke in favor of the special exception renewal. Mark Rohrbach



spoke in favor of the special exception renewal conditioned on no school buses driving on the road. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

**Ayes:** *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
**Nays:** *None*  
**Absent During Vote:** *None*  
**Abstention:** *None*

## RESOLUTION

### A RESOLUTION TO APPROVE SPECIAL EXCEPTION #SER 02-M-02 SUSAN LEOPOLD, INDIAN PIPE TECHNICAL OUTDOOR SCHOOL PIN 6011-20-6729-000

WHEREAS, Charles W. and Jacqueline M. Leopold, owners, and Susan Leopold, applicant, have filed an application to obtain renewal for a special exception under the provisions of Articles 5-501 and 5-505 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Planning Commission held a public hearing on this application on November 29, 2001 and has made a recommendation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has considered the written and orally presented information of the applicants and conducted a public hearing for this application on January 22, 2002; and

WHEREAS, the Board of Supervisors has determined that the application satisfies the general standards of Article 5-006 of the Zoning Ordinance and that the application is in substantial conformance with the Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the application by Susan Leopold for special exception renewal to continue the operation of Indian Pipe Technical Outdoor School, on Parcel Identification Number 6011-20-6729-000 be, and is hereby, approved, subject to the following conditions:

1. The special exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This special exception is granted only for the purpose(s), structure(s) and/or uses indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This special exception shall be granted for a period of five (5) years from the date of approval and must be renewed by the Board of Supervisors in accordance with the provisions of Section 5-013 of the Zoning Ordinance.
4. A maximum of six vans per day may visit the site. The vans shall not exceed fifteen passenger size. No more than one hundred people shall occupy the site at any given time.
5. The facility may be in operation from April through November.

6. Permanent structures are restricted to the existing buildings on the site and one new building not to exceed 5,000 square feet.
7. All lighting shall be in conformance with the Fauquier County Zoning Ordinance and positioned downward, inward and shielded to eliminate glare from all adjacent properties.
8. The applicant shall submit to the Zoning Administrator, on a quarterly basis, a summary of attendance records for the events to ensure that attendance limitations are maintained.
9. The applicant shall comply with all applicable water and sewage treatment standards as determined by the Health Department.
10. All parking must be provided on site, and shall be no closer than one hundred feet from any adjacent property.
11. All grass areas used for parking shall be mowed and maintained as to minimize the risk of vehicle and field fires.
12. In no event shall fireworks, hot-air balloons or helicopters be used for any Class C events.
13. The applicant shall require its employees and all invitees to strictly comply with State burning laws and copies of such laws shall be posted on site.
14. During events with music or sound, the maximum permitted sound pressure noise levels shall not exceed sixty decibels at the property line.

**SPECIAL EXCEPTION – WAYNE AND VICKI HOUSTON, OWNERS, AND SBA PROPERTIES, INC., APPLICANT**

A public hearing was held to consider a request for special exception approval, #SE02-M-06, from SBA Properties, Inc., for construction of a 120-foot telecommunications tower in the on a five-acre wooded parcel and a concurrent comprehensive plan determination. The property is located on the north side of Interstate 66 just west of its intersection with Rutledge Farm Lane (Private Street) between Marshall and Delaplane, PIN 6050-32-8796-000, Marshall District. Subsequent to the Planning Commission's recommendation of denial, the applicant has requested a deferral of the Board of Supervisors' public hearing to explore the possibility of lowering the proposed height and changing the design of the tower. Chuck Medvitz spoke in favor of the special exception. Mark Berghoff, representing SBA Properties, Inc., requested postponement of a decision, pending design re-evaluation. No one else spoke. The public hearing was closed. Mr. Atherton moved to table the decision until the February 19, 2002 meeting. Ms. McCamy seconded, and the vote was unanimous as follows:

<b>Ayes:</b>	<b><i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i></b>
<b>Nays:</b>	<b><i>None</i></b>
<b>Absent During Vote:</b>	<b><i>None</i></b>
<b>Abstention:</b>	<b><i>None</i></b>

## **SPECIAL EXCEPTION – LAVINIA V. WASHINGTON, OWNER/APPLICANT**

A public hearing was held to consider a request for special exception approval, #SE02-CR-09, from Lavinia Washington, applicant, to replace an existing duplex with a new duplex unit. The property is located on a driveway access from Rogues Road (Route 602) at the intersection with Grace Church Lane (Route 664) just southwest of the Village of Casanova, PIN 7901-59-7625-000, Cedar Run District. The current duplex was placed on the property in the 1960's prior the adoption of the current Zoning Ordinance. The unit is located on property zoned Rural Agricultural (RA). Joanne Lomax and Mark Rohrbach spoke in favor of the special exception request. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

**Ayes:** *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*

**Nays:** *None*

**Absent During Vote:** *None*

**Abstention:** *None*

### **RESOLUTION**

#### **A RESOLUTION TO APPROVE SPECIAL EXCEPTION #SE02-CR-09 LAVINIA V. WASHINGTON PARCEL I.D. #7901-59-7625-000**

WHEREAS, Lavinia Washington, owner and applicant, has filed an application to allow for the replacement of an existing duplex unit in accordance with Article 5 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Planning Commission held a public hearing on this application on December 20, 2001, and has made a recommendation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has considered the written and orally presented information of the applicants and conducted a public hearing for this application on January 22, 2002; and

WHEREAS, the Board of Supervisors has determined that the application satisfies the general standards of Article 5-006 of the Zoning Ordinance and that the application is in substantial conformance with the Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the application by Lavinia Washington for the replacement of an existing duplex unit be, and is hereby, approved, subject to the following conditions:

1. The special exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This special exception is granted only for the purpose(s), structure(s) and/or uses indicated on the special exception plat dated November 9, 2001, as qualified by these development conditions.
3. Both units within the duplex shall remain under common ownership.

4. The applicant shall obtain all applicable Health Department and Virginia Department of Transportation approvals prior to making zoning and building permit application.

**SPECIAL EXCEPTION – VINT HILL ECONOMIC DEVELOPMENT AUTHORITY, OWNER, AND JAMES A. TUCKER, AIA, APPLICANT**

A public hearing was held to consider a request for special exception approval, #SE02-CR-10, from Vint Hill Economic Development Authority, Owner, and James A. Tucker, AIA, Applicant, to locate and operate a motel in an existing structure on the Vint Hill property that formerly served as a guesthouse when the Army base was in operation. The property is located at Vint Hill on Bludau Drive (Private Street) just east of its intersection with Kennedy Road (Route 652), PIN 7915-86-0750-000, Cedar Run Magisterial District. Bob Sinclair, representing Vint Hill Economic Development Authority, spoke in favor of the special exception. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*  
*Nays: None*  
*Absent During Vote: None*  
*Abstention: None*

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION #SE02-CR-10  
VINT HILL ECONOMIC DEVELOPMENT AUTHORITY, ESTABLISHMENT OF A  
MOTEL, PORTION OF PARCEL I.D. #7915-86-0750-000

WHEREAS, the Vint Hill Economic Development Authority, owner, and James Tucker, applicant, have filed an application to allow for the establishment of a motel in an existing structure in accordance with Article 5 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Planning Commission held a public hearing on this application on December 20, 2001, and has made a recommendation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has considered the written and orally presented information of the applicants and conducted a public hearing for this application on January 22, 2002; and

WHEREAS, the Board of Supervisors has determined that the application satisfies the general standards of Article 5-006 of the Zoning Ordinance and that the application is in substantial conformance with the Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 22nd day of January 2002, That the application by James Tucker for the establishment of a motel be, and is hereby, approved, subject to the following conditions:

1. The special exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This special exception is granted only for the purpose(s), structure(s) and/or uses indicated on the special exception plat dated November 15, 2001 as approved with the application, and qualified by these development conditions.

3. This special exception is subject to the provisions of Article 12 of the Fauquier County Zoning Ordinance, Site Plans, as may be determined by the Fauquier County Department of Community Development.
4. This special exception is granted for a period of five years, and is subject to renewal in accordance with the provisions of Article 5- 013 of the Zoning Ordinance.
5. The applicant shall file a site plan within one year of approval of this special exception approval, or the approval shall be null and void.
6. The applicant shall obtain all necessary approvals from the Virginia Department of Transportation and the Health Department prior to site plan approval.
7. The applicant shall comply with all applicable zoning regulations, including but not limited to setbacks, buffer yards, tree canopy, landscaping, parking and lighting.
8. The number of guestrooms shall be limited to fourteen double occupancy rooms.
9. The number of employees on site shall not exceed three at any one time.

#### **REZONING REQUEST – MLD ASSOCIATES, LLC, OWNER/APPLICANT**

A public hearing was held to consider a request from MLD Associates, LLC, Owner/Applicant to rezone a 3.11-acre parcel in the Settlement of Pilgrims Rest from Rural Agricultural (RA) to Residential-1 (R-1). The property is located on the west side of Route 600 (Beverleys Mill Road) near its intersection with Pilgrims Rest Road (Route 821), PIN7907-72-0122-000, Scott District. Kathleen King spoke in opposition to the rezoning request. Mike Downs, representing MLD Associates as owner/applicant, spoke in favor of the rezoning request. No one else spoke. The public hearing was closed. Mr. Weeks moved to postpone a decision until the February 19, 2002 meeting. Mr. Winkelmann seconded, and the vote was unanimous as follows:

<b>Ayes:</b>	<b><i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i></b>
<b>Nays:</b>	<b><i>None</i></b>
<b>Absent During Vote:</b>	<b><i>None</i></b>
<b>Abstention:</b>	<b><i>None</i></b>

With no further business, the meeting was adjourned.

*I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on January 22, 2002.*

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*G. Robert Lee*  
*Clerk*